United Nations A/62/635 –S/2008/11

General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 7 January 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith:

1. A statistical table of Israeli violations during the month of December 2007 (see annex);

2. A statistical table of Israeli air, sea and land violations during the year 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

08-20329 (E) 090108 090108

Annex to the identical letters dated 7 January 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Statistical table showing Israeli violations during December 2007

Air violations					*Land violations*					
Military jet	*Reconnaissance*	*Helicopter*	*Total*	*Sea violations*	*Military acts of aggression*	*Field violations*	*Breaches*	*Total*	*Overall total*	*Previous month's violations*
				Crossing of territorial waters, and firing of automatic-weapons rounds, flares and flare shells over territorial waters	Air raids, artillery shelling, shelling of military positions and important posts, attacks on and killing of civilians	Gunfire, launching of flare bombs, dropping of artillery shells, infiltration and crossing of international borders	Threats and display of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory			
24	**37**	**1**	**62**	**5**	**—**	**19**	**3**	**22**	**89**	**71**

Annual statistical table showing Israeli violations and acts of aggression during the year 2007

Month	*Air violations*				*Land violations*					
	Military jet	*Reconnaissance*	*Helicopter*	*Total*	*Sea violations*	*Military acts of aggression*	*Field violations*	*Breaches*	*Total*	*Total violations*
					Crossing of territorial waters, and firing of flares and flare shells	Air raids, shelling of military positions and important posts	Artillery shelling, gunfire, infiltration and setting up of installations inside Lebanese territory	Threats and display of weapons, bulldozing of soil, and placing of barbed wire inside Lebanese territory		
January	17	49	0	66	1	0	7	3	10	77
February	4	27	2	33	2	0	7	3	10	45
March	13	48	0	61	3	0	5	2	7	71
April	13	24	1	38	4	0	8	3	11	53
May	18	37	0	55	6	0	11	1	12	73
June	25	28	0	53	0	0	11	3	14	67
July	28	49	0	77	3	0	9	0	9	89

	Air violations					*Land violations*				
Month	*Military jet*	*Reconnaissance*	*Helicopter*	*Total*	*Sea violations*	*Military acts of aggression*	*Field violations*	*Breaches*	*Total*	*Total violations*
August	38	47	0	85	3	0	7	0	7	95
September	49	24	0	73	0	0	11	0	11	84
October	30	19	1	50	3	0	5	0	5	58
November	27	31	0	58	2	0	11	0	11	71
December	24	37	1	62	5	0	19	3	22	89
Overall total	**286**	**420**	**5**	**711**	**32**	**0**	**111**	**18**	**129**	**872**

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The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 8 January 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to call your attention to an alarming incident which occurred on the night of Monday, 7 January 2008, in grave violation of Security Council resolution 1701 (2006).

Late on the evening of Monday, 7 January 2008, two rockets landed in the western Galilee region of Israel. One of the rockets fell within the proximity of a public building, causing damage to the area, while the other rocket fell near a road. The rockets were of 107 mm gauge, with a range of 10 kilometres. As the area where the rockets landed is a 23-kilometre distance from the Litani River, there is no doubt that the rockets were fired from territory in southern Lebanon under the responsibility of the United Nations Interim Force in Lebanon (UNIFIL).

As mentioned, the launching of those rockets constitutes a grave breach of Security Council resolution 1701 (2006). This incident is the second major violation since the adoption of the resolution, the first of which occurred on 17 June 2007. Both violations underscore the fact that the security situation in southern Lebanon cannot afford to be deferred until the political issues in Lebanon are resolved. Despite the adoption by the Council of resolutions 1559 (2004) and 1701 (2006), Hizbullah and other militias continue to rearm and operate in the area. As this incident proves, the failure to fully implement resolution 1701 (2006), in particular the disarming of Hizbullah and all other militias and terrorist organizations, greatly endangers the peace and stability of the region. Israel holds the Lebanese Government responsible and expects it to assert complete control over all its territory. Moreover, the fact that the rockets were fired from a UNIFIL area of responsibility emphasizes the need for UNIFIL to be more proactive and to take further action to prevent such attacks in the future.

08-20317 (E) 090108

Israel reserves the right to defend itself and its citizens from hostilities and acts of aggression, as any other sovereign nation would, in accordance with article 51 of the Charter of the United Nations. Israel calls upon the Security Council to denounce this violation of resolution 1701 (2006), which is a direct threat to regional peace and security.

I should be grateful if you would circulate the content of the present letter as a document of the sixty-second session of the General Assembly, under agenda item 17, "Situation in the Middle East", and of the Security Council.

(*Signed*) Gilad **Cohen**
Counsellor
Chargé d'affaires, a.i.

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Agenda item 17
The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 8 January 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to inform you that, on 7 January 2008, Israeli enemy forces violated the Blue Line and infiltrated 210 metres into Lebanese territory (UTM coordinates 748493-685838). Those forces also kidnapped the Lebanese citizen Fadi Abdul Al, who was herding cattle on the outskirts of the town of Halta next to Shab`a Farms, and detained him for one day.

My Government considers this act a grave aggression against my country's sovereignty and should be condemned in the strongest terms on the basis of the principles and provisions of international law and customs.

I should be grateful if you would have this letter circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

08-20342 (E) 090108 090108

United Nations A/62/638–S/2008/14

General Assembly
Security Council

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9 January 2008

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General Assembly
Sixty-second session
Agenda item 22
Question of Cyprus

Security Council
Sixty-third year

Letter dated 8 January 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 8 January 2008, addressed to you by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Baki İlkin
Ambassador
Permanent Representative

08-20384 (E) 100108

Annex to the letter dated 8 January 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 18 December 2007 from the Greek Cypriot representative addressed to you and circulated as a document of the General Assembly and of the Security Council (A/62/590-S/2007/745), which yet again contains the well-known allegations of violations of "the international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following:

As stated in our previous communications addressed to you, repeated allegations by the Greek Cypriot side of so-called "airspace violations" are totally unfounded and are rejected in toto by our authorities. The most recent allegations do not merit a detailed reply as they are of a similar nature. However, I wish to emphasize, once again, that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State. The Greek Cypriot administration in South Cyprus has no jurisdiction or right of say over flights within the national airspace of the Turkish Republic of Northern Cyprus. Furthermore, it should be emphasized that allegations of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. I also deem it imperative to point out, once again, that the attitude demonstrated by the Greek Cypriot representatives in their constant repetition of false claims is nothing more than rhetoric, which unfortunately wastes the precious time and energy of the international community. They would do better to concentrate on taking concrete steps towards building trust and confidence between the two peoples on the island, which would also be in line with your latest report on the extension of the mandate of the United Nations Peacekeeping Force in Cyprus, where you have underlined the significance of the endeavour regarding the lifting of isolations imposed on the Turkish Cypriots.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

United Nations S/2008/15

Security Council

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11 January 2008
English
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France: draft resolution

The Security Council,

Recalling its previous resolutions, in particular resolutions 1739 (2007) and 1765 (2007), and the statements of its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the Agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou political Agreement", S/2007/144), and that it has supported the appointment of Mr. Guillaume Soro as Prime Minister,

Expressing again its appreciation to the Chairperson of the Economic Community of West African States (ECOWAS) President Blaise Compaoré of Burkina Faso ("the Facilitator") for his continued efforts to facilitate the inter-Ivorian direct dialogue that led, in particular, to the signing of the Ouagadougou political Agreement, *commending and encouraging* the continued efforts of the African Union and ECOWAS to promote peace and stability in Côte d'Ivoire, and *reiterating* its full support for them,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, in particular the attack committed on 29 June 2007 in Bouaké against the Prime Minister of the Republic of Côte d'Ivoire, Mr. Guillaume Soro, that resulted in several deaths, and *stressing* that the perpetrators of such criminal acts must be brought to justice,

Having taken note of the report of the Secretary-General dated 3 January 2008 (S/2008/1),

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire,

Recalling its resolution 1612 (2005) on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties in the armed conflict of Côte d'Ivoire (S/2007/93),

08-20758 (E) 150108

Recalling also its resolution 1325 (2000) on Women, Peace and Security, and its resolution 1674 (2006) on the protection of civilians in armed conflict,

Welcoming the establishment, as agreed by the parties at the meeting of the evaluation and monitoring committee of 11 May 2007 and the Facilitator, of an international consultative organ to accompany the Ivorian political forces and the Facilitator in the implementation of the Ouagadougou political Agreement, and *stressing* the importance of this organ participating in the meetings of the evaluation and monitoring committee, as an observer, and *recalling* that it may be consulted at any time by the Facilitator;

Welcoming the success of the donors' round table of 18 July 2007 and *emphasizing* the importance of the continuing support of the United Nations system and the international community for strengthening the capacity of the Government of Côte d'Ivoire and of the electoral bodies in order to organize the presidential and legislative elections,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* Supplementary Agreements number 2 and 3 signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 28 November 2007 ("the Supplementary Agreements") under the facilitation of President Blaise Compaoré of Burkina Faso;

2. *Takes note* of the recommendations of the African Union in this regard, *endorses* the Supplementary Agreements and *calls upon* the Ivorian parties to implement the Supplementary Agreements and the Ouagadougou political Agreement fully, in good faith and within the amended time frame set out in these Agreements, which will require the Ivorian parties to redouble their efforts, and *encourages* the international community to bring continued support to this effect;

3. *Commends* the Facilitator for his continued efforts to support the peace process *and encourages* the Ivorian parties to make further concrete progress, in particular in the identification of the Ivorian population and registration of voters, the disarmament and dismantling of militias, the disarmament, demobilization and reintegration programme, the unification and restructuring of defence and security forces and the restoration of State authority throughout the country;

4. *Decides* to renew the mandates of the United Nations Operation in Côte d'Ivoire (UNOCI) and of the French forces which support it, as determined in resolution 1739 (2007), until 30 July 2008, in order to support the organization in Côte d'Ivoire of free, open, fair and transparent elections within the time frame set out in the Ouagadougou political Agreement and the Supplementary Agreements of 28 November 2007;

5. *Requests* UNOCI, within its existing resources and mandate, to support the full implementation of the Ouagadougou political Agreement and of Supplementary Agreement number 3;

6. *Calls upon* all concerned parties to ensure that the protection of women and children is addressed in the implementation of the Ouagadougou political Agreement as well as the post-conflict reconstruction and recovery phases,

including continued monitoring and reporting of the situation of women and children;

7. *Also invites* the signatories of the Ouagadougou political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Ouagadougou political Agreement and their obligations under international humanitarian law;

8. *Expresses* its intention to review by 30 July 2008 the mandates of UNOCI and the French forces which support it, as well as the level of troops of UNOCI, in the light of the progress achieved in the implementation of the key steps of the peace process, and *requests* the Secretary-General to provide to it a report on these key steps three weeks before this date;

9. *Gives its full support* to the efforts of the Special Representative of the Secretary-General in Côte d'Ivoire and *recalls* that he shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards;

10. *Requests* the Secretary-General to keep it regularly informed in particular on the preparation of the electoral process, including registration of voters, and notably by providing to it a report in this regard no later than 15 April 2008, and *welcomes* the establishment by UNOCI of a certification support cell to assist the Special Representative in fulfilling this task;

11. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in UNOCI with the United Nations zero-tolerance policy on sexual exploitation and abuses and to keep the Council informed, and *urges* troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

12. *Recalls* the importance of the provisions of the Ouagadougou political Agreement and of the Supplementary Agreements, including paragraph 8.1 of the Ouagadougou political Agreement and paragraphs 8 and 9 of Supplementary Agreement number 3, and *urges* the Ivorian political forces to rely on the mediation by the Facilitator, for any major difficulty concerning the electoral process;

13. *Encourages* the Facilitator to continue to support the process to settle the crisis in Côte d'Ivoire, and *requests* UNOCI to continue to assist him and his Special Representative in Abidjan, Mr. Boureima Badini, in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou political Agreement and paragraphs 8 and 9 of the Supplementary Agreement number 3;

14. *Decides* to remain actively seized of the matter.

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Security Council

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14 January 2008

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Letter dated 8 January 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities containing its position on the recommendations contained in the seventh report of the Analytical Support and Sanctions Monitoring Team (S/2007/677, enclosure) (see annex). I would appreciate it if the report could be circulated to the members of the Security Council and issued as a document of the Council.

(*Signed*) Johan **Verbeke**
Chairman
Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

08-20627 (E) 240108

Annex

Recommendations contained in the seventh report of the Analytical Support and Sanctions Monitoring Team

Position of the Committee

I. Introduction

1. Having completed a thorough analysis of the seventh report of the Analytical Support and Sanctions Monitoring Team (S/2007/677, enclosure),[1] the Al-Qaida and Taliban sanctions Committee would like to bring to the attention of the Security Council its position on a number of the recommendations contained therein.[2] Some recommendations have been found very relevant for the future work of the Committee, others are addressed to the Member States to help them to implement the sanctions measures (assets freeze, travel ban and arms embargo) decided by the Council and a last category could be useful for the Council itself when considering future resolutions.

2. The Committee highly appreciates the continued efforts of the Monitoring Team to identify ways to further strengthen the sanctions regime and to improve the implementation of the measures. The Committee therefore believes that many of the recommendations should be brought to the attention of the wider membership. While considering the recommendations, the Committee examined, in particular, whether the suggested improvements might impose an overly heavy burden on States, and it placed a strong emphasis on finding concrete ways to implement the recommendations.

3. The Committee focused in particular on recommendations aiming at further improving the quality of the Consolidated List and at enhancing dialogue with States. In this context, the Committee fully agrees with the overall findings of the Monitoring Team that effective dialogue between the Committee and States is the best way to promote joint ownership of the List and engagement in sanctions implementation (para. 9).[3]

II. The Consolidated List

4. **Original script**. The Committee fully supports the recommendation that the Committee and States bring to wider attention, particularly of financial institutions and others involved in implementation, the rendering of names of individuals and entities on the List in their original script (para. 28).

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[1] The report submitted to the Al-Qaida and Taliban sanctions Committee on 30 September 2007 in accordance with resolution 1735 (2006) was transmitted to the Security Council on 15 November 2007 and subsequently issued as a document of the Council (S/2007/677).

[2] This is the fifth written report of the Committee to the Security Council on the reports of the Monitoring Team. Earlier reports by the Monitoring Team and reports on the Committee's position on the recommendations can be found on the Committee's website (www.un.org/sc/committees/1267/index.shtml).

[3] The reference is to the Monitoring Team's seventh report (S/2007/677, enclosure).

5. **Listing requests**. While recognizing their own responsibility with regard to updating the List, the members of the Committee encourage all States to continue to submit names of individuals and entities that are associated with Al-Qaida, Osama bin Laden and the Taliban, and to provide additional identifiers to the existing names on the List. The Committee wishes to reiterate that the cover sheet included in annex I to resolution 1735 (2006) and available on the Committee's website provides a useful tool in this regard. The Committee also agrees with the finding of the Monitoring Team that it would be useful to add more information on the List as to the primary reason for the listing. The Committee endorses the recommendation to add such detail to the List where the submitting State(s) agree(s). The recommendation that the Monitoring Team submit at regular intervals names that it believes should merit consideration for listing, could be referred to the Security Council in view of any future resolution (paras. 27 and 36).

6. **Lack of identifiers**. The Committee also encourages States to report when they encounter problems of implementation because of a lack of identifiers. The Committee may then, on a case-by-case basis, consider how to improve these entries, in conjunction with the designating State(s) and, where appropriate, with the States of nationality or residence (para. 29).

7. **Useful tools and documents**. In order to facilitate the submission of names and the provision of additional identifiers, the Committee will work with the Monitoring Team to update a number of tools and documents related to the Consolidated List (available on the Committee's website). These include the cover sheet included in annex I to resolution 1735 (2006), which was designed to offer practical guidance to States on listing, but could also be used to offer additional identifiers, as well as the introductory page of the List and the guidance note on searching the List. The Committee is also supportive of the recommendation to enhance the dialogue between the Committee and States by creating a tool for voluntary, informal reporting (a survey). This would allow the Committee to receive updated information without imposing additional reporting obligations on States. Given the different nature of the mechanisms, the survey should be clearly separated from the mandatory State reporting requirement in accordance with resolution 1455 (2003) and the checklist requested under resolution 1617 (2005). The Committee requests the Monitoring Team to develop proposals for such a survey (paras. 30, 35 and 144).

8. **Section E of the Consolidated List on de-listed individuals and entities**. The Committee agrees in principle with the recommendation to separate section E (individuals or entities that have been removed from the List pursuant to a decision by the Committee) from the rest of the List. The Committee stands ready to consider further the practical implementation of this recommendation based on additional input from the Monitoring Team, taking into account that information contained in the section should continue to be made available for any possible reference purposes (para. 33).

9. **De-listing of deceased individuals**. The Committee is of the view that its note verbale dated 25 April 2006[4] provides sufficient guidance on what is required in order for the Committee to consider removing an individual from the List on

[4] Note verbale SCA/2/6(8), the content of which is available on www.un.org/sc/committees/1267/deceased_individuals.shtml.

account of the death of the individual. The Committee agrees to explore ways of including the content of the note verbale in its guidelines (para. 38).

III. Implementation of the sanctions

10. **Review pursuant to paragraph 6 (i) of the Committee guidelines**. The Committee notes that the review has only been conducted once so far (in 2007), and that therefore any conclusion on this mechanism should only be seen as preliminary. The Committee decides to consider, in early 2008, which elements of its methodology could be improved in order to make the outcome of the existing review process more tangible for its second edition in 2008. At the end of the second review, the Committee would evaluate the mechanism (paras. 42-47).

11. **Partial and global listings of entities operating in several countries**. The Committee agrees that accurate information on the targeted entities at the time of listing is of the utmost importance. Given the complexity and the sensitivity of the matter, the Committee decides to study these recommendations further on the basis of an in-depth analysis to be provided by the Monitoring Team (paras. 49-56).

12. **National focal point**. States are responsible for developing their own national mechanism to implement sanctions. The Committee is of the view that the establishment of a national focal point for the coordination and explanation of the sanctions regime, which could possibly also act as a help desk for private financial institutions, could be useful in this regard (paras. 66 and 138).

IV. Assets freeze

13. **Alert relevant State(s) following a listing**. The Committee supports the recommendation that, following a decision to list an individual or entity, it should alert the relevant State(s) where funds or economic resources are known or believed to be located immediately before circulating the notice of the listing more generally. This could help avoid assets flight resulting from delays between a listing becoming public and the measures taking effect in all States (para. 62).

14. **Information from the relevant State(s)**. The Committee also endorses the recommendation to target the requests for information more precisely at States where a listed individual or entity operates or seeks to operate, without imposing an overly heavy reporting burden on those States. The Monitoring Team might play a useful role as intermediary in this regard (para. 63).

15. **Requests for information received by the Committee**. The Committee also supports taking better stock of requests from States asking for additional information on listed individuals and entities, and agreed with the recommendation to keep a list of all requests received (para. 71).

16. **Successor organizations and non-monetary assets**. Given the complexity of these issues, the Committee decides to examine these matters further in 2008 (paras. 82-88).

17. **Opening of bank accounts on behalf of another party**. In order to make it harder for listed individuals to benefit from nominee accounts, the Committee fully supports the recommendation to States that they require anyone opening a bank

account on behalf of another party to disclose this fact to the financial institutions concerned, and notes that this was already a well-established practice in a number of countries (para. 65).

18. **International business corporations (or "offshore entities")**. The Committee supports in principle the recommendations addressed to States in this area, including to check the names of beneficial owners, directors or managers of international business corporations against the Consolidated List. The Committee encourages States to require that their respective company registration offices constantly screen new companies and their directors and owners against the Consolidated List (paras. 72-77).

V. Travel ban

19. **Use of fraudulent, forged or stolen travel documents**. Given the value of such documents to terrorists, the Committee supports the recommendation that States make a special effort to identify and submit for listing the names of people who provide those documents to listed individuals on the basis of their association with and support for Al-Qaida, the Taliban and their associates (para. 93).

20. **Further guidelines on the exemptions to the travel ban pursuant to paragraph 1 (b) of resolution 1735 (2006)**. While referring to the fact sheet posted on its website,[5] the Committee decides to examine this issue further based on input from the Monitoring Team (para. 96).

VI. Arms embargo

21. **Explanation of terms**. To help States better understand their obligations, the Committee requests the Monitoring Team to submit for its consideration an updated version of the explanation of terms paper available on its website. The Committee is of the view that similar explanation of terms papers may also be useful for the two other sanctions measures and requests the Monitoring Team to prepare drafts in this regard. The Committee also sees value in the recommendation to have one document outlining the Committee's position on various issues related to the arms embargo[6] (para. 103).

22. **Mechanisms to ensure that neither buyers, intermediaries or end users are listed or are acting on behalf of any listed individual or entity**. In order to help States implement one of the core obligations under the arms embargo, that is to prevent the indirect supply, sale or transfer of arms and related materiel to those on the List, the Committee endorses the recommendation to encourage the creation of mechanisms, at both the national and the international levels, to ensure that neither buyers of arms or related materiel nor their intermediaries or end users appear on the Consolidated List or are acting under the direction or on behalf of any listed individual or entity. The Committee requests the Monitoring Team to present proposals for the implementation of this recommendation (para. 101).

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[5] www.un.org/sc/committees/1267/fact_sheet_travel_ban.shtml.

[6] The Committee issued a note verbale on 31 July 2007 (SCA/2/07(12)) which sets out its position on four recommendations made by the Monitoring Team in its fifth and sixth reports (S/2006/750 and S/2005/132).

23. **Scope of the arms embargo**. The Committee requests the Monitoring Team to work on a document compiling States' experiences in dealing with the threat of civilian and improvised explosives. The recommendation to explicitly specify that the arms embargo covers training and recruitment comprehensively on the one hand, and civilian and improvised explosives specifically on the other, could be referred to the Security Council for discussion on any future resolution (paras. 105, 106 and 108).

24. **Internet**. These recommendations will be further examined in the light of the Committee's consideration of the cross-cutting issue of the criminal misuse of the Internet (para. 110).

25. **Agreements with the International Civil Aviation Organization (ICAO), International Air Transport Association (IATA) and the World Customs Organization (WCO)**. In terms of the issue of illicit arms trafficking by air, the Committee expresses its willingness to consider proposals for high-level agreements with relevant international organizations in this area, such as ICAO, IATA and WCO (paras. 112-114).

26. **INTERPOL Weapons and Explosives Tracking System (IWETS)**. The Committee also sees merit in the recommendation to encourage States to use mechanisms developed by other relevant international organizations in areas related to the arms embargo, such as the IWETS, which is intended to take stock of information on stolen, lost or illicit firearms (paras. 116 and 117).

27. **National legislation**. The Committee encourages States to fully utilize the legal instruments at their disposal and, if needed, assess and evaluate them to ensure that they are sufficiently directed against listed individuals and entities (para. 99).

28. **Nationals outside State borders**. Since States are also responsible for their nationals operating abroad, including in the areas of providing technical advice, assistance and military training that can be of assistance to Al-Qaida and Taliban associates, the Committee encourages all States to share pertinent information with other Governments and relevant international and regional organizations (para. 102).

29. **Notification**. Even though the primary responsibility to implement sanctions rests on States, the Committee supports the recommendation to specifically inform listed individuals of the measures in place against them through the notification procedure outlined in paragraph 11 of resolution 1735 (2006) (para. 111).

VII. Conclusion

30. With the present report, the Committee wishes to highlight those recommendations made by the Monitoring Team that the Committee found to be of particular relevance and/or which should be implemented on a priority basis. Some recommendations need further in-depth analysis or conceptual development in order to be implemented in practical terms. The Committee looks forward to further input from the Monitoring Team in this regard.

31. In order to further enhance dialogue with States, the Committee also wishes to encourage all States to share with the Committee their views and experiences with implementing the sanctions measures at the national level, including by sending

representatives to meet with the Committee pursuant to paragraph 29 of resolution 1735 (2006).

32. The Committee expresses its appreciation to the Monitoring Team for its comprehensive and high-quality report and for the number of valuable recommendations contained therein.

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Security Council

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Letter dated 11 January 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, containing an account of the Committee's activities from 1 January to 31 December 2007 (see annex). The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

In this connection, I would appreciate it if the present letter and its annex were to be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) R.M. Marty M. **Natalegawa**
Chairman
Security Council Committee established
pursuant to resolution 1533 (2004) concerning
the Democratic Republic of the Congo

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Annex

Report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

A. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo covers the period from 1 January to 31 December 2007.

2. For 2007, the Bureau of the Committee consisted of Jorge Voto-Bernales (Peru) as Chairman, with the delegations of Indonesia and Qatar serving as Vice-Chairmen.

B. Background

3. By paragraph 20 of its resolution 1493 (2003), the Security Council imposed an arms embargo on all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and Ituri, and on groups not party to the Global and All-Inclusive Agreement in the Democratic Republic of the Congo. The Council also provided for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to report to the Council regularly on the position of the movements and armed groups and on information concerning arms supply and the presence of foreign military, especially by monitoring the use of landing strips in North and South Kivu and Ituri.

4. By its resolution 1533 (2004), the Security Council established the Committee, inter alia, (a) to seek information from States regarding implementation of the arms embargo; (b) to examine and take action on alleged violations; (c) to report to the Council on ways to strengthen the arms embargo; (d) to consider a list of those found to have violated the measures imposed by the Council in paragraph 20 of its resolution 1493 (2003) with a view to submitting recommendations to the Council for possible future measures; and (e) to receive notifications in advance from States made under paragraph 21 of resolution 1493 (2003) and to decide, if need be, upon any action to be taken.

5. By paragraph 10 of its resolution 1533 (2004), the Security Council requested the Secretary-General, in consultation with the Committee, to establish a Group of Experts to undertake a series of tasks related to the monitoring of the arms embargo, as set out in the resolution. The Group of Experts was re-established or extended for six successive mandates pursuant to resolutions 1552 (2004), 1596 (2005), 1616 (2005), 1654 (2006), 1698 (2006) and 1771 (2007).

6. By its resolution 1596 (2005), the Security Council extended the arms embargo to any recipient in the territory of the Democratic Republic of the Congo, with exemptions including the army and police of the Democratic Republic of the Congo, under conditions set out in the resolution. The Council also imposed travel restrictions and an assets freeze on persons and entities acting in violation of the arms embargo. By the same resolution, the Council decided to extend the mandate of the Group of Experts, with the addition of a fifth finance expert and with a

broader mandate in connection with the measures set out in paragraphs 6, 10, 13 and 15 of the resolution.

7. By its resolution 1616 (2005), the Council renewed the arms embargo, travel restrictions and assets freeze until 31 July 2006. By its resolution 1649 (2005), the Council extended the scope of the travel restrictions and assets freeze to political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo or Congolese militias receiving support from abroad that impede the participation of their combatants in disarmament, demobilization and reintegration processes, to take effect on 15 January 2006, unless the Secretary-General informed the Council that the process of disarmament of those foreign armed groups and Congolese militias operating in the Democratic Republic of the Congo was being completed.

8. By its resolution 1698 (2006), the Council renewed until 31 July 2007 the arms embargo as well as travel and financial restrictions on individuals designated by the Committee in accordance with the criteria set out in resolutions 1596 (2005) and 1649 (2005). In its resolution 1698 (2006), the Council extended the travel and financial measures to political and military leaders recruiting or using children in armed conflict, and to individuals committing serious violations of international law involving the targeting of children in situations of armed conflict. In addition to the tasks outlined in resolutions 1533 (2004), 1596 (2005) and 1649 (2005), the Council requested the Group of Experts, whose mandate was extended under resolution 1698 (2006) for a period expiring on 31 July 2007, to recommend feasible and effective measures the Council might impose to prevent the illegal exploitation of natural resources financing armed groups in the eastern part of the Democratic Republic of the Congo. In paragraph 8 of its resolution 1698 (2006), the Council also requested the Secretary-General to present before 15 February 2007, in close consultation with the Group of Experts, a report comprising an assessment of the potential economic, humanitarian and social impact on the population of the Democratic Republic of the Congo of the implementation of the possible measures referred to in paragraph 6 of the resolution.

9. By its resolution 1771 (2007), the Council decided to renew the measures on arms imposed under resolutions 1493 (2003) and 1596 (2005) for a period expiring on 15 February 2008. In connection with the arms embargo, the Council decided to renew the exemptions for units of the army and police of the Democratic Republic of the Congo, provided that conditions specified in paragraph 2 (a), (b) and (c) of the resolution were met. In addition, in paragraph 3 of its resolution 1771 (2007), the Council decided to authorize an exemption for technical training and assistance agreed to by the Government of the Democratic Republic of the Congo and intended solely for support of units of the Democratic Republic of the Congo army and police that were in the process of integration in the provinces of North and South Kivu and the Ituri district.

10. By paragraph 4 of its resolution 1771 (2007), the Council decided that the conditions specified in paragraph 4 of resolution 1596 (2005), as now applied to the Government, should apply to supplies of arms and related materiel as well as technical training and assistance which are consistent with the exemptions described in paragraph 9 above, and noted in this regard that States had an obligation to notify the Committee in advance of such supplies. The Council also decided to renew the measures on transport and travel and finance in accordance with resolutions

1596 (2005), 1649 (2005) and 1698 (2006), and to review, no later than 15 February 2008, the measures concerning the arms embargo, transport, travel and financial bans, in the light of the consolidation of the security situation and the processes of integration of armed forces and reform of the national police in the Democratic Republic of the Congo.

C. Summary of the activities of the Committee

11. During the reporting period, the Committee held a total of 16 informal consultations.

12. On 24 January 2007 the Group of Experts, extended pursuant to resolution 1698 (2006), presented its interim report to the Committee (S/2007/40) in accordance with paragraph 4 of the resolution, and the Committee held an exchange of views on the observations and recommendations contained in the report, as well as the request of the Council for further recommendations on feasible and effective measures the Council might impose to prevent the illegal exploitation of natural resources financing armed groups and militias in the eastern part of the Democratic Republic of the Congo (para. 6 of resolution 1698 (2006)). The Council's invitation to the Committee to examine the situation in Kinshasa, pursuant to presidential statement S/PRST/2006/40, was also considered. The Committee requested the Group of Experts to present a second interim report by the end of April 2007. The Chairman of the Committee introduced the interim report of the Group of Experts (S/2007/40) during the informal consultations of the Security Council on 20 February 2007.

13. Also during the informal meeting of the Committee of 24 January 2007, members held a preliminary exchange of views on the prospect of cooperation with the International Criminal Police Organization (INTERPOL) in pursuance of resolution 1699 (2006) and on the exchange of letters dated 28 and 29 December 2006 between the United Nations and INTERPOL, following which agreement was reached in the Committee to invite the Special Representative of INTERPOL to the United Nations to brief the Committee on 23 February 2007. After a further exchange of views on 23 February, members of the Committee decided to reflect on the matter and revert to it in due course.

14. Pursuant to its consultations on 24 January, the Committee addressed a letter on 16 February 2007 to the Permanent Mission of Uganda to the United Nations in connection with an issue related to cooperation with the Group of Experts. Following further bilateral consultations between the Chairman and the representative of Uganda, the matter was resolved on 22 February 2007.

15. During the reporting period, the Committee updated the list of individuals and entities established pursuant to paragraphs 13 and 15 of resolution 1596 (2005) on four occasions; namely, 6 February (United Nations press release SC/8948),[a] 18 July (SC/9081),[b] 11 September (SC/9112)[c] and 7 November 2007 (SC/9165)[d] in connection with additional information conveyed to the Committee regarding

[a] www.un.org/News/Press/docs/2007/sc8948.doc.htm.
[b] www.un.org/News/Press/docs/2007/sc9081.doc.htm.
[c] www.un.org/News/Press/docs//2007/sc9112.doc.htm.
[d] www.un.org/News/Press/docs//2007/sc9165.doc.htm.

Khawa Panga Mandro, Douglas Mpamo, Ignace Murwanashyaka, Laurent Nkunda, Straton Musoni, Kisoni Kambale and Germain Katanga. Since 2006 the Committee has agreed to use the guidelines of the Committee established pursuant to resolution 1572 (2004)[e] for the updating of its own list.

16. On 23 February 2007, pursuant to a proposal by the President of the Security Council during the Council's informal consultations on 20 February, the Chairman of the Committee proposed to table a discussion of the report of the Secretary-General pursuant to paragraph 8 of resolution 1698 (2006) concerning the Democratic Republic of the Congo, an assessment of the potential economic, humanitarian and social impact on the population of the DRC of the implementation of the possible measures referred to in paragraph 6 of the resolution (S/2007/68). On 13 February 2007, the Chairman of the Group of Experts extended pursuant to resolution 1698 (2006) had addressed a letter to the Chairman of the Committee, stressing the lack of coordination with the Office for the Coordination of Humanitarian Affairs in the preparation of the above-mentioned report. There was no consensus to consider the Secretary-General's report, either on 23 February 2007 or at a subsequent informal meeting of the Committee on 26 April 2007. The Chairman proposed to hold such a discussion when there was consensus in the Committee to do so.

17. On 29 March 2007, the Committee added two individuals (Kambale Kisoni and Straton Musoni) and five entities (Uganda Commercial Impex (UCI) Ltd., Machanga, Butembo Airlines (BAL), Congocom Trading House, and Compagnie Aerienne des Grands Lacs (CAGL)/Great Lakes Business Company (GLBC)) to the list established pursuant to paragraphs 13 and 15 of resolution 1596 (2005), as reflected in a press release (SC/8987) issued on the same date.[f]

18. During its informal consultations on 2 May 2007, the Committee heard a briefing by the Chairman of the Group of Experts extended pursuant to resolution 1698 (2006) concerning the Group's second interim report. The Committee also decided, in the lead-up to the preparation of the final report of the Group of Experts, to renew its invitations of December 2006 to the Permanent Representatives to the United Nations of Burundi, the Democratic Republic of the Congo, Rwanda and Uganda to discuss, with the Chairman of the Group of Experts, the status of the implementation of the measures imposed by the Council in its resolution 1493 (2003), as expanded and renewed in resolutions 1596 (2005) and 1698 (2006).

19. With a view to constructively engaging the neighbouring States and promoting a regional approach in the implementation of the arms embargo and other measures set out in the relevant resolutions, the Committee met on 11 May 2007 with the representatives of the four aforementioned Permanent Missions as well as with a representative of the Department of Peacekeeping Operations and the Chairman of the Group of Experts in order to discuss the status of cooperation with the Group. The Chairman of the Group of Experts offered to convey a checklist to the four Permanent Missions enumerating the details of requests issued by the Group of Experts as well as answers by the four countries, where applicable. These checklists were transmitted on 21 June 2007 by the Chairman of the Group of Experts to the four Permanent Missions and copied to the Committee.

[e] www.un.org/sc/committees/1572/pdf/guidelines_ci_eng.pdf.

[f] www.un.org/News/Press/docs/2007/sc8987.doc.htm.

20. Pursuant to decisions reached by the Committee at informal consultations on 11 May 2007, letters were also addressed by the Chairman to the Permanent Missions to the United Nations of the Central African Republic, the Congo, Equatorial Guinea and Sao Tome and Principe encouraging those missions to answer past requests for information by the Group of Experts.

21. On 13 July 2007, the Chairman of the Group of Experts extended pursuant to resolution 1698 (2006) introduced the Group's final report pursuant to paragraph 4 of the resolution (S/2007/423), and on 18 July 2007 the Committee discussed the observations and recommendations contained in the report. On 23 July 2007, the Chairman of the Committee introduced the report during the informal consultations of the Security Council.

22. Pursuant to its discussion on 18 July 2007, the Committee addressed letters on 6 and 8 August 2007 to the Permanent Missions to the United Nations of Angola, Burundi, the Central African Republic, the Congo, Kenya, Rwanda, the Sudan, the United Republic of Tanzania and Zambia as well as to the Department of Peacekeeping Operations, the International Civil Aviation Organization and the World Customs Organization, drawing attention to relevant recommendations contained in the Group's final report.

23. During the reporting period, the Committee considered a confidential annex conveyed by the Group of Experts extended pursuant to resolution 1698 (2006), which remains under consideration by members of the Committee.

24. Pursuant to its informal consultations on 3 October 2007, the Committee addressed a letter dated 13 November 2007 to the Permanent Representative of the Democratic Republic of the Congo to the United Nations seeking clarification on the list of receiving sites for authorized shipments of military equipment, as designated by the Government in consultation with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), in accordance with paragraph 4 of resolution 1771 (2007).

25. On 22 October 2007, the Committee received a letter from the Permanent Mission of the Netherlands to the United Nations notifying the Committee that Germain Katanga (whose name is contained in the Committee's list of individuals and entities) had been surrendered by the Government of the Democratic Republic of the Congo to the International Criminal Court, following an exchange of letters between the Committee and the Netherlands of 13 and 15 March 2006, respectively.

26. On 14 November 2007, the Committee considered a letter dated 1 November 2007 from the Under-Secretary-General for Peacekeeping Operations and its attachment, a report from MONUC on the movement of armament and military equipment within the Democratic Republic of the Congo between 6 August and 11 October 2007, and agreed to convey the letter to the Group of Experts re-established pursuant to resolution 1771 (2007) for further investigation, in close consultation with the authorities of the Democratic Republic of the Congo and other Governments concerned.

27. During its informal consultations of 28 November 2007, the Committee discussed a letter dated 14 November 2007 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations in connection with the Committee's letter dated 13 November 2007 concerning the designation of receiving sites (see para. 24 above), and on the basis of its deliberations, the Committee

addressed a further letter dated 11 December 2007 to the Permanent Representative of the Democratic Republic of the Congo.

28. Over the course of its informal consultations on 23 March, 26 April, 1 June, 3 October and 18 December 2007, the Committee discussed a draft of its guidelines for the conduct of work. In the absence of an agreement on its own guidelines, the Committee on 26 December 2007 agreed to provisionally use the guidelines of the Security Council Committee established pursuant to resolution 1572 (2004) in the conduct of its work, issued a note verbale to all Member States to that effect on 28 December 2007, and reflected the decision on its website.

29. During its informal consultations on 23 March, 5 June and 3 July 2007, the Committee considered the report of the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997) in pursuance of the request of the Security Council contained in its resolution 1732 (2006) that all subsidiary organs of the Council take note of the recommendations and best practices contained in the report. In the course of its consideration of the report, the Committee reviewed a number of key recommendations contained in a non-paper prepared by the Secretariat.

30. During the reporting period, the Committee received two notifications pursuant to paragraphs 2 (a) and 4 and three notifications pursuant to paragraph 2 (c) of resolution 1596 (2005). On 25 January 2007, the Chairman of the Committee received a letter from the President of the Security Council concerning violations of Security Council resolutions on children and armed conflict in the Democratic Republic of the Congo.

31. In December 2007, the Committee received three requests for de-listing from the Focal Point for De-Listing which were submitted in accordance with paragraph 6 (b) of resolution 1730 (2006): Machanga Ltd., Uganda Commercial Impex Ltd., and Dieudonné Ozia Mazio Litsoa. The process of consideration of the three requests for de-listing will be completed in early January 2008.